



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,552	02/15/2005	Erik Landberg	016901-146	5251
21839	7590	07/12/2007	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			MONFELDT, SARAH M	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			3609	
			MAIL DATE	DELIVERY MODE
			07/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/500,552	LANDBERG, ERIK	
	Examiner	Art Unit	
	Sarah M. Monfeldt	3609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 June 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 30 June 2004.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date: _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION
Status of Claims

1. This action is in reply to the response to Missing Requirements filed on 30 June 2004.
2. Claims 1-15 are currently pending and have been examined.

Priority

3. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. 119(a)-(d) or (f). All copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

Information Disclosure Statement

4. The information Disclosure Statement filed on 30 June 2004 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Oath/Declaration

5. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The specification, i.e. US Application No. 10/500,552, to which the oath or declaration is directed has not been adequately identified. See MPEP § 602.

Claim Objections

6. Claims 1-15 are objected to because of the following informalities:
 - a. Claim 1 is directed to "a data network", claims 2-15 depend either directly or indirectly from claim 1 and claims 2-15 recite "an arrangement". Claims 2-15 should therefore recite "The data network according to". Appropriate correction is required.
 - b. Claim 1 recites "an information transfer mode or session" at line 6 and "an authenticating handshake" at line 7. It appears that these recitations have been previously recited in lines 3-4 and 5, respectively. Please note there are similar issues throughout the claims. Appropriate correction is required.

Art Unit: 3609

- c. Claims 1-15 recite agreement, document, text, etc. These terms appear to be referring to the same item. It is recommended applicant chose one term and use the term consistently throughout the claims. Appropriate correction is required.
- d. Claims 1-15 recite entities, persons, etc. These terms appear to be referring to the same thing. It is recommended applicant again chose one term and use the term consistently throughout the claims. Appropriate correction is required.
- e. Claim 8 and 9 recite "his/her". It appears these recitations are directed to either said entities or said persons. Appropriate correction is required.
- f. Claims 1-15 are replete with similar issues, appropriate correction is required.

Claim Rejections - 35 USC § 112

- 7. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a. Claim 2 recites "*a requisite sequential order*". This term is vague and indefinite. The specification fails to provide guidance to this recitation. Appropriate correction is required.
 - b. Regarding claims 6, 10-12, the phrase "such as" and "or the like" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Appropriate correction is required.
 - c. Claim 1 recites the limitation "the remaining entities", "the agreement text", and "said entities" in 18-19. There is insufficient antecedent basis for these limitations in the claim. Please note claims 1-15 are replete with similar issues. Appropriate correction is required.
 - d. Claims 1-15 are replete with 112, second paragraph issues. Appropriate correction is required.

Claim Rejections - 35 USC § 102

- 8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3609

9. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dziewitt et al. (WO 92/09161).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 1 -

As per claim 1, Dziewitt et al., at least at Fig. 1; page 8, lines 3-6 of paragraph 1, lines 7-14 of paragraph 2, 1-6 of paragraph 3; page 9, lines 4-5, 11-15, 18-20 of paragraph 2; page 16, lines 6-8, 11-13 of paragraph 1, lines 1-7 of paragraph 2; page 17, lines 8-11; page 20, lines 8-20 of paragraph 1; page 26, lines 1-12 of paragraph 2; page 28, lines 11-23 of paragraph 1, disclose a *data network related information-carrying and information-transferring arrangement* having the limitations of:

- *a central unit and*
- *a number of slave units that can co-act with the central unit via information transmission,*
 - *wherein an information transfer mode or session initialised by the central unit in respect of one or more of said slave units can be preceded by an authenticating handshake procedure established therebetween,*
 - *wherein an information transfer mode or session initialised by a chosen slave unit in respect of said central unit shall be preceded by an authenticating handshake procedure established therebetween,*
 - *whereafter an electronic document can be sent from a chosen slave unit to the central unit,*
 - *wherein the electronic document provided with protected text and bearing at least one signature of a number of requisite signatures can be sent to the central unit,*
 - *wherein the central unit is adapted to automatically check the document in respect of chosen features;*
 - *wherein said check comprises*
 - *at least a check to ascertain that the text of the document is protected,*
 - *a check to ascertain that the electronic signature accompanying the document consists of one of several requisite electronic signatures and*
 - *a check to ascertain which other electronic signatures are required in order for the agreement to be valid;*
 - *in that said central unit is adapted to send said document bearing said electronic signature automatically to each of the remaining entities required to sign the agreement text in order for the agreement to be binding;*
 - *in that each of said entities signs the document electronically and returns said document to the central unit, which checks that the text of the document is protected and that the accompanying signatures have been made by authorised persons; and*
 - *in that, when the text has been signed by all authorised entities, the central unit automatically activates means for initiating conditions set and chosen in the text.*

Claim 2 -

Art Unit: 3609

As per claim 2, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 3, lines 7-10 of paragraph 3, further disclose a *data network* having the limitations of:

- *wherein the document contains or has appended thereto information relating to the person or persons that has/have been given the necessary authority to endorse and electronically sign said document, and a requisite sequential order.*

Claim 3 -

As per claim 3, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 5, lines 1-7 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein said document contains one or more instructions and/or one or more agreements.*

Claim 4 -

As per claim 4, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 14, lines 1-17 of the first full paragraph; page 23, lines 6-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein the central unit includes first means for establishing and/or checking whether or not the authority-related information, with the aid of a register accessible to the central unit to this end,*
- *wherein if the authority-related information is correct, the central unit uses second means that can be activated to enable the central unit to carry out the measures given in the incoming document, in accordance with the instructions or agreements given in said document.*

Claim 5 -

As per claim 5, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 14, lines 1-17 of the first full paragraph; page 23, lines 6-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein the document has appended thereto information relating to those persons that have the necessary authority to sign the document, and the electronic address of said persons.*

Claim 6 -

As per claim 6, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 5, lines 1-7 of paragraph 1; page 30, lines 1-5 of the first full paragraph, further disclose a *data network* having the limitations of:

- *wherein said instructions sent to the central unit, a banking institution or the like, relate to an economic transaction.*

Claim 7 -

As per claim 7, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at Fig. 1; page 5, lines 1-2 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein in that the instructions sent to the central unit are related to an agreement between two or more slave units.*

Claim 8 -

Art Unit: 3609

As per claim 8, Dziewitt et al., teach the *data network of claim 7* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein the central unit includes or co-acts with third means functioning to allow said document and/or said instructions or agreements to be copied and to sent to each person or entity that shall sign the document with its instructions or agreements electronically in his/her capacity of an authorised person.*

Claim 9 -

As per claim 9, Dziewitt et al., teach the *data network of claim 8* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein when each person sends his/her copy of the document bearing instructions or agreements and duly signed electronically by said person in his/her capacity of a person authorised in respect of a first party, the central unit is allowed to send a copy of the thus signed document bearing said instructions or agreements to each authorised person of a second party for signing of the document bearing said instructions or agreements electronically.*

Claim 10 -

As per claim 10, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein the central unit includes or co-acts with fourth means for carrying out requisite authority checks in an archive or the like, in which relevant powers of attorney are kept.*

Claim 11 -

As per claim 11, Dziewitt et al., teach the *data network of claim 10* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein said archive includes a number of organisation identities, such as organisation numbers, current e-mail addresses, company seats, certificates relating to private keys.*

Claim 12 -

As per claim 12, Dziewitt et al., teach the *data network of claim 1* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein the central unit co-acts with or includes fifth means for the registration of powers of attorney,*
- *wherein the arrangement includes the possibility of altering information stored in said register, such as the duration of an appointment, the activation of a blocking function, and/or the insertion of new information.*

Claim 13 -

Art Unit: 3609

As per claim 13, Dziewitt et al., teach the *data network of claim 12* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein said register includes a number of authority codes.*

Claim 14 -

As per claim 14, Dziewitt et al., teach the *data network of claim 13* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein said authority codes are structured to enable the determination of conditions that are tied to a chosen instruction or to a chosen agreement.*

Claim 15 -

As per claim 15, Dziewitt et al., teach the *data network of claim 13* as described above. Dziewitt et al. at least at page 20, lines 8-20 of the first full paragraph; page 23, lines 1-11 of the second full paragraph; page 28, lines 11-23 of paragraph 1, further disclose a *data network* having the limitations of:

- *wherein a first authority code denotes that the authority required exists in the signature of every member of the Board;*
- *in that a second authority code denotes that the authority required resides in the joint signing of two or more given persons;*
- *in that a third authority code denotes that the authority required resides solely in the signature of the Managing Director (routine business matters);*
- *in that a fourth authority code denotes that the authority required resides in a message sent to a board member, such as the Chairman of the Board; and in that a fifth authority code denotes that the authority required is a so-called financial power of attorney.*

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah M. Monfeldt whose telephone number is (571)270-1833. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm (EST) ALT Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Reagan can be reached on (571)272-6710. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3609

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sarah M. Monfeldt *sarah Monfeldt 7/6/17*
Patent Examiner, AU 3609
571-270-1833

JAMES REAGAN
SUPERVISORY PATENT EXAMINER

